

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, AMENDING ORDINANCE NO. 2017-08 ESTABLISHING PARK REGULATIONS APPLICABLE WITHIN ANY PUBLIC PARK LOCATED WITHIN THE VILLAGE LIMITS OR ITS EXTRATERRITORIAL JURISDICTION; PROVIDING FOR FINDINGS OF FACT; PENALTIES AND ENFORCEMENT, PROPER NOTICE AND MEETING.

WHEREAS, Pursuant to Chapter 51 of the Texas Local Government Code, and the Village of Salado's inherent police powers, the Board of Aldermen of the Village of Salado hereby finds it to be reasonable and necessary for the protection of the public health and safety to adopt the following park regulations; and

WHEREAS, on April 5, 2007, the Board of Aldermen adopted Ordinance Number 2007.03 for the purpose of providing park regulations; and

WHEREAS, the Board of Aldermen on July 6, 2017, adopted Ordinance Number 2017-08 repealing and replacing the regulations enacted under Ordinance Number 2007.03 and to provide new and additional park regulations; and

WHEREAS, the Board of Aldermen now finds it reasonable and necessary to amend Ordinance Number 2017-08 to modify existing park regulations and provide additional park regulations.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Village of Salado, Texas, that:

SECTION 1: The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

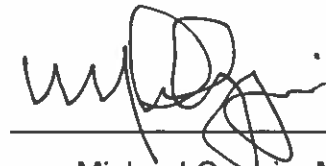
SECTION 2: The Village of Salado Park Regulations set forth in EXHIBIT A are hereby adopted.

SECTION 3: Ordinance Number 2017.08 adopted on July 6, 2017, is hereby amended in its entirety, and all other ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of conflict with this Ordinance.

SECTION 4: If any provision of this Ordinance, or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 5: This Ordinance shall become effective immediately upon its passage and publication in accordance with state law.

PASSED AND APPROVED this, the 3rd day of March, 2022 by a 3 (ayes) to 2 (nays) and 0 (abstentions) vote of the Board of Aldermen of Salado, Texas.



Michael Coggin, Mayor

ATTEST:



Cara McPartland, City Secretary



EXHIBIT A

VILLAGE OF SALADO PARK REGULATIONS

Section 1. General Provisions.

- A. **Popular Name.** This Ordinance shall be cited as the Village of Salado Park Regulations.
- B. **Application.** This Ordinance shall be effective in all Village Parks within the corporate limits of the Village of Salado or its extraterritorial jurisdiction.
- C. **Definitions.** Words and phrases used in this Ordinance shall have the meanings set forth in this section. Words and phrases that are not defined herein, shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only. Headings and captions are for reference purposes only.

Alcoholic Beverage: shall mean alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

Glass Container: shall mean any glass receptacle other than:

- (a) glass lined vacuum bottles;
- (b) commercially produced baby bottles or baby food jars containing products for consumption by a baby; or
- (c) glass containers containing over the counter or prescribed drugs.

Person: shall mean an individual, corporation, organization, government agency, business, trust, partnership, association, or any other legal entity other than the City.

Village: shall mean the Village of Salado, an incorporated municipality located in Bell County, Texas, and includes any official, agent or employee acting on its behalf

Village Park or Park: Any land now or hereafter dedicated to, owned, or managed by the Village that is intended to be used as park land.

Section 2. Hours Open to the Public.

- A. Parks shall be open to the general public only between the hours of 6:00 a.m. and 10:00 p.m., unless otherwise approved by the Board of Alderman. The Sirena Park Parking Lot shall be open to the public between the hours of 7 a.m. and 12 a.m.
- B. It shall be unlawful for any person except for employees of the Village engaged in the performance of their official duties to be in any Village Park except during the times set forth in Section A above.
- C. Any exceptions to the requirements of this section are authorized only by Board of Aldermen approval.

Section 3. Park Regulations.

- A. It shall be unlawful for any person to knowingly or intentionally possess a Glass Container within any area of a Village Park, including, but not limited to, parking lots, playing fields, playscapes, and adjoining sidewalks and driveways.
- B. It shall be unlawful for any person to erect a tent or hammock within any area of a Village Park.
- C. It shall be unlawful for any person to establish a ground fire within any area of a Village Park.
- D. It shall be unlawful for any person to utilize an individual portable (personal) gas grill in any area within a Village Park except in locations designated by the Village. Wood fired BBQ pits are allowed only in designated locations with prior written Village approval.

- E.** It shall be unlawful for any person to possess, display or use a firearm within any area of a Village Park unless authorized by Texas Statute or Village Ordinance. Signage in accordance with Texas Statute and/or Village Ordinance shall be posted at the entrance to any Village owned park property.
- F.** It shall be unlawful for any person to use a skateboard, in-line skates, roller skates on or around playgrounds, historical monuments, sculptures, picnic tables and pavilions within a Village Park.
- G.** It shall be unlawful for any person to use a metal detector within any area of a Village Park.
- H.** It shall be unlawful for any person to litter within any area of a Village Park.
- I.** It shall be unlawful for any person to vape or use tobacco products within any area of a Village Park.
- J.** It shall be unlawful for any person to cut, destroy, or remove vegetation, trees, or deadwood from any area of a Village Park without written permission of the Village.
- K.** It shall be unlawful for any person to dispose of cremation remains without written permission of the Village.
- L.** It shall be unlawful for any person to discharge fireworks within any area of a Village Park.
- M.** It shall be unlawful for any person to have an unleashed pet within any area of a Village Park.
- N.** It shall be unlawful for any person to have any pet in a public waterway located within an area of a Village Park.
- O.** It shall be unlawful for any person to provide public or private instruction within any area of a Village Park without prior written permission from the Village.
- P.** Except as provided in paragraph C below, it shall be unlawful for any person to possess or use alcoholic beverages in any area of a Village Park including, but not limited to parking lots, playing fields, playscapes, and adjoining sidewalks and driveways. Alcohol may be possessed and consumed during special events or activities with prior written Village approval .

- Q.** It shall be unlawful for any person to dispose of ashes from a barbecue pit or other portable burning device within any area of a Village Park, including parking lots, playing fields, playscapes, and adjoining sidewalks and driveways, unless disposed of in designated receptacles provided within the park.
- R.** It shall be unlawful for any person to operate a motor vehicle, except upon roads, driveways, parking areas, and areas designated open to motor vehicles within a Village Park except as authorized by the Village of Salado
- S.** It shall be unlawful to possess or display a firearm within any area of a Village Park unless authorized by Texas Statute.
- T.** It shall be unlawful for any person to camp or lodge within any area of a Village Park.
- U.** It shall be unlawful to litter within any area of a Village Park.
- V.** It shall be unlawful to collect and remove firewood, plants, animals, and artifacts from within any area of a Village Park.
- W.** It shall be unlawful for any person to remove, excavate, take, dig into, or destroy any site, object, building, artifact, implement or location of archaeological, geological, scientific, or historical interest from within any area of a Village Park without prior written permission from the Village of Salado.
- X.** It shall be unlawful to feed wildlife with any feed other than that obtained from the Village.
- Y.** It shall be unlawful for any person to utilize tent stakes within any area of a Village Park
- Z.** It shall be unlawful for any person to sell food, beverages, or other merchandise within any area of a Village Park without prior written permission from the Village of Salado.

Section 4. Enforcement

Civil Remedies

Nothing in this Ordinance shall be construed as a waiver of the Village's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law, including, but not limited to the following:

- (a) injunctive relief to prevent specific conduct that violates the Ordinance or to require specific conduct that is necessary for compliance with the Ordinance; and
- (b) a civil penalty up to two-hundred and fifty (\$250); and any other legal remedy available to the Village.